

## Message Text

CONFIDENTIAL

PAGE 01 ISLAMA 05814 01 OF 02 260536Z

16

ACTION NEA-10

INFO OCT-01 ISO-00 EUR-12 CIAE-00 DODE-00 PM-03 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 OMB-01 AID-05 IO-10 ACDA-05 /089 W

----- 056169

R 251035Z JUN 75

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 772

INFO AMEMBASSY DACCA

AMEMBASSY KABUL

AMCONSUL KARACHI

AMCONSUL LAHORE

AMEMBASSY NEW DELHI

AMEMBASSY TEHRAN

C O N F I D E N T I A L SECTION 1 OF 2 ISLAMABAD 5814

L

E.O. 11652: GDS

TAGS: PFOR, PINT, PK, AF

SUBJECT: THE GOP CASE AGAINST THE NATIONAL AWAMI PARTY

REF: ISLAMABAD 5648

SUMMARY: PAK ATTORNEY GENERAL JUNE 23 COMPLETED GOP'S LENGTHY PRESENTATION TO THE SUPREME COURT IN THE NAP CASE. BRIEF IS LARGELY FAMILIAR RECITATION CATALOGUING ACCUSATIONS MADE EARLIER AGAINST PARTY. ARGUMENTS FALL LARGELY INTO TWO MAJOR CATEGORIES. PARTY AND ITS ANTECEDENTS ARE ACCUSED OF CONSISTENTLY OPPOSING PAKISTAN CONCEPT AND OF WORKING FOR BREAK-UP OF COUNTRY. NAP IS ALSO ACCUSED OF COLLUDING WITH AFGHAN GOVERNMENT: GOA ROLE IS SPELLED OUT AT LENGTH. ADDITIONALLY, THERE IS A BRIEF MENTION OF INDIA, BUT NONE OF THE USSR OR OTHER POWERS. END SUMMARY.

1. PAK ATTORNEY GENERAL YAHYA BAKHTIAR TOOK BETTER PART OF THREE DAYS TO MAKE ORAL PRESENTATION TO  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ISLAMA 05814 01 OF 02 260536Z

SUPREME COURT EXPLAINING THE GOP'S CASE FOR THE BANNING

OF NAP UNDER THE POLITICAL PARTIES ACT. LENGTHY BRIEF WAS LARGELY FAMILIAR RECITATION CATALOGUING ACCUSATIONS MADE EARLIER AT DIFFERENT TIMES AND IN VARIOUS CONTEXTS. IT WAS LIBERALLY INTERLarded WITH QUOTATIONS OF STATEMENTS ALLEGEDLY MADE BY NAP LEADERS, LARGELY DRAWN FROM PRESS AND CITATIONS FROM HISTORICAL AND POLITICAL STUDIES OF WIDELY VARYING MERIT AND OBJECTIVITY. ARGUMENTS FALL LARGELY INTO TWO MAJOR CATEGORIES: (1) ACCUSATION THAT NAP AND ITS ANTECEDENTS HAVE NEVER ACCEPTED THE PAKISTAN CONCEPT AND (2) ALLEGATION THAT PARTY HAS COLLUDED WITH AFGHANISTAN AGAINST PAKISTAN. THERE IS A BRIEF MENTION OF INDIA, NONE OF THE USSR OR OTHER POWERS.

2. IN DISCUSSING NAP'S ALLEGED OPPOSITION TO PAKISTAN CONCEPT, GOP PRESENTATION LINKS THE PARTY WITH PRE-PARTITION NWFP KHUDAI KHIDMATGAR MOVEMENT LED BY WALI KHAN'S FATHER ABDUL GHAFAR KHAN, AND THROUGH IT TO INDIAN NATIONAL CONGRESS. THE KHUDAI KHIDMATGAR'S OPPOSITION TO PARTITION AND ITS EFFORT, FOLLOWING THE PARTITION DECISION, TO SEEK AN INDEPENDENT PAKHTUNISTAN ARE DETAILED. THE DISRESPECT ALLEGEDLY SHOWN TO M. A. JINNAH BY GHAFAR KHAN AND HIS SUPPORTERS AND THE REPUTED NEPOTISM OF THE PRE-PARTITION NWFP GOVERNMENT LED BY HIS BROTHER ARE ALSO MENTIONED: THEY ARE AMONG THE MANY IRRELEVANCIES APPARENTLY DESIGNED TO MAKE THE CASE MORE ATTRACTIVE.

3. THE PRESENTATION STATES THAT THE FUNDAMENTAL OPPOSITION TO PAKISTAN ON THE PART OF THE FOUNDERS OF NAP DID NOT CHANGE WITH PARTITION -- THERE WAS MERELY "A CHANGE IN THEIR STRATEGY." "THE PENDULUM HAD SWUNG FROM THE ADVOCACY OF AKHAND BHARAT (UNDIVIDED INDIA) TO PROPAGATING OF THE THEORY OF DIFFERENT NATIONALITIES IN PAKISTAN. THE CONCEPT OF NATIONALITIES," THE PRESENTATION STATES, "IS AN ALIEN CONCEPT WHICH HAS BEEN DISSEMINATED TO UNDERMINE THE INTEGRITY AND SOLIDARITY OF PAKISTAN."

4. THE GOP CASE HAS IT THAT NAP LEADERS HAILED THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 ISLAMA 05814 01 OF 02 260536Z

BREAKAWAY OF EAST PAKISTAN AND SAW IT AS A STEP WHICH WOULD LEAD TO THE DISSOLUTION OF THE WEST WING. IT DRAWS ANALOGIES BETWEEN "THE SECESSIONIST STRATEGIES" OF SHEIKH MUJIB'S MOVEMENT AND THE NAP: "IN THEIR (MUJIB AND WALI KHAN'S) SPEECHES AND STATEMENTS, BOTH PREFERRED AN AMBIGUOUS POSTURE TO A CLEAR CUT POLICY STAND. IN ONE SPEECH THEY WOULD SUPPORT AND UPHOLD THE IDEOLOGY AND INTEGRITY OF PAKISTAN, THE

NEXT SPEECH WOULD BE VIOLENTLY IN FAVOUR OF SECESSION AND FULL OF DIRE THREATS TO THE PAKISTAN GOVERNMENT. THE INEVITABLE RESULT WAS CONFUSION AND INDECISION IN THE MINDS OF THE GENERAL PUBLIC AS TO THEIR REAL INTENTIONS. THROUGH THIS CONFUSED AND HESITANT PUBLIC RESPONSE TO THEIR OUTBURSTS, WALI AND MUJIB HOPED TO SIDESTEP POPULAR RESISTANCE TO THEIR DESIGNS." THE PRESENTATION CONCEDES THAT THE NAP, UNLIKE THE BANGLADESH SECESSIONISTS, DID NOT SET UP A GOVERNMENT-IN-EXILE BUT ALLEGES THAT IN ALL PROBABILITY THIS WOULD HAVE BEEN FORMED IF ABDUL KHAFFAR KHAN HAD SUCCEEDED IN CROSSING OVER TO AFGHANISTAN THIS APRIL.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 ISLAMA 05814 02 OF 02 251319Z

50

ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OMB-01

AID-05 IO-10 ACDA-05 EUR-12 /089 W

----- 042301

R 251035Z JUN 75

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 773

INFO AMEMBASSY DACCA

AMEMBASSY KABUL

AMCONSUL KARACHI

AMCONSUL LAHORE

AMEMBASSY NEW DELHI

AMEMBASSY TEHRAN

C O N F I D E N T I A L SECTION 2 OF 2 ISLAMABAD 5814

5. WHILE FOCUSING PRINCIPALLY ON WALI KHAN AND THE FRONTIER NAP -- ASIDE FROM THEIR SECESSIONIST STATEMENTS -- THEY ARE ACCUSED AGAIN OF RESPONSIBILITY FOR BOMBINGS, AND WALI'S SON'S ALLEGED INVOLVEMENT IN THE SHERPAO MURDER IS MENTIONED -- THE PRESENTATION ALSO DETAILS AT LENGTH THE ANTI-PAKISTAN ACTIVITIES OF THE BALUCH NAP LEADERS. THEY ARE ACCUSED OF PLOTTING TO SET UP AN INDEPENDENT BALUCHIS-

TAN WHEN THEY HELD POWER IN 1971-72 AND OF FOMENTING INSURRECTION IN THE PROVINCE AFTERWARDS. (WALI IS QUOTED AS CALLING FOR A NEW COUNTRY THAT WOULD INCLUDE NWFP AND BALUCHISTAN.)

6. AFGHAN INVOLVEMENT. IN SUMMING UP HIS CASE, THE ATTORNEY GENERAL STATED THAT "THE SUBVERSIVE ACTIVITIES, SPEECHES AND EXTERNAL CONTACTS OF NAP AND ITS LEADERS GO TO PROVE BEYOND ANY DOUBT THAT THE LEADERS OF THE DEFUNCT NAP HAVE NEITHER ACCEPTED PAKISTAN AT HEART NOR HAVE THEY REFRAINED FORM WORKING TOWARDS ITS BREAK-UP." THE "EXTERNAL CONTACTS" ARE, OF COURSE, WITH AFGHANISTAN  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ISLAMA 05814 02 OF 02 251319Z

AND THE AFGHAN ROLE IS OUTLINED IN FAMILIAR DETAIL.

7. THE GOP CASE IN THIS AREA FOCUSES ON:

(A) WALI KHAN'S VISITS TO KABUL AND HIS MEETINGS WITH DAUD AND OTHER GOA LEADERS.

(B) THE GOA-SUPPORTED ACTIVITIES OF AJMAL KHATTAK. KHATTAK'S BOOK, "BULLET FOR BULLET," IS LIBERALLY QUOTED.

(C) THE SIMILARITY IN POSITION BETWEEN THE GOA AND THE NAP: E.G., NON-RECOGNITION OF DURAND LINE, SUPPORT FOR FOUR NATIONALITIES THEORY, CLAIM THAT PAKISTAN IS AN ARTIFICIAL CREATION.

(D) ANTI-PAKISTAN AFGHAN PROPAGANDA, INCLUDING THAT ASSOCIATED WITH THE ASSASSINATION OF NWFP MINISTER SHERPAO.

(E) GOA "HUE AND CRY" ABOUT THE BANNING OF NAP, DESCRIBED BY THE GOA AS UNCONSTITUTIONAL AND ILLEGAL. "THE SOLE OBJECT WAS TO REASSURE THE LEADERS OF THE DEFUNCT NAP THAT AFGHANISTAN WOULD CONTINUE TO SUPPORT THEM."

(F) PROCUREMENT BY NAP OF ARMS AND AMMUNITION FROM AFGHANISTAN FOR BALUCHISTAN INSURRECTION.

8. INDIA. ASIDE FROM THE HISTORICAL DISCUSSION OF THE INDIAN NATIONAL CONGRESS' OPPOSITION TO PARTITION AND THE NWFP LEADERS' ASSOCIATION WITH THE ORGANIZATION, THERE ARE ONLY BRIEF PASSING REFERENCES TO INDIA:

(A) CRITICIZING THE NAP AND GOA FOR APATHY TO THE SUFFERINGS OF INDIAN MUSLIMS, THE GOP CLAIMED

THAT "THEY HAVE JOINED HANDS WITH THE HINDUS TO UNDO  
PAKISTAN." "NAP-AFGHAN-INDIAN COLLUSION AGAINST  
PAKISTAN DOES NOT, OF COURSE, PERMIT CONDEMNATION  
OF INDIA" IT CHARGES.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 ISLAMA 05814 02 OF 02 251319Z

(B) MRS. GANDHI'S ALLEGED REMARK TO PRESIDENT  
NIXON (SOURCE QUOTED: JOSEPH ALSOP) THAT THE BRITISH,  
IN DIVIDING THE SUBCONTINENT, HAD MOST UNJUSTLY  
GIVEN BOTH BALUCHISTAN AND PAKHTOONISTAN TO PAKISTAN,  
IS CITED AS EVIDENCE THAT "THE INDIAN COLLABORATORS  
OF THE KHUDAI KHIDMATGAR PARTY AND ITS PROGENY, THE  
NAP, HAVE STILL NOT RECONCILED THEMSELVES TO PAKISTAN..."  
LUPPI

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COURT PROCEEDINGS, POLITICAL PARTIES, OPPOSITION PARTIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 25 JUN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** RowellE0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975ISLAMA05814  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750220-1246  
**From:** ISLAMABAD  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750618/aaaaaqbx.tel  
**Line Count:** 242  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION NEA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 ISLAMABAD 5648  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** RowellE0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 29 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <29 JUL 2003 by ShawDG>; APPROVED <21 NOV 2003 by RowellE0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** THE GOP CASE AGAINST THE NATIONAL AWAMI PARTY  
**TAGS:** PFOR, PINT, PK, AF, NATIONAL AWAMI PARTY  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006